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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/865,666	05/29/2001	Luigi Fiorinelli	Q64700	4161
7	590 09/23/2002			
SUGHURE, MION, ZINN, MACPEAK & SEAS, PLLC 2100 Pennsylvania Avenue, NW Washington, DC 20037-3213			EXAMINER	
			WATKINS III, WILLIAM P	
			ART UNIT	PAPER NUMBER
			1772	Ъ
			DATE MAILED: 09/23/2002	(

Please find below and/or attached an Office communication concerning this application or proceeding.

Application No. Application No. Application No. Applicant(s) FIORINELLIET AL.	/						
Examiner Art Unit 1772			Application No.	Applicant(s)			
William P. Walkins III 1772			09/865,666	FIORINELLI ET AL.			
The MAILING DATE of this communication appears on the cover sheet with the correspondence address— Period for Repty A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. Estression of ten may be available under the provisions of 3 CFR 1.79(g), in no event, however, may a reply to bimbly filed after 18 (t) (NoN Hr 5 from the nearing date of this communication and the provisions of 3 CFR 1.79(g), in no event, however, may a reply to bimbly filed after 18 (t) (NoN Hr 5 from the nearing date of this communication. If the provision is the provision of the provisions of 3 CFR 1.79(g), in no event, however, may a reply to bimbly filed after 18 (t) (NoN Hr 5 from the nearing date of this communication. If the provision of the priority documents have been received. 1(a) Claim(s) 19 and 120 1	(Office Action Summary	Examiner	Art Unit			
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE £ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. - Extensions of time may be available under the provisions of 37 GFR 1.136(a). In no event, however, may a reply be timely filed - If the period from the provisions of the provisions of 37 GFR 1.136(a). In no event, however, may a reply be timely filed - If the period from the provisions of the provisions of 37 GFR 1.136(a). In no event, however, may a reply be timely filed - If NO period for reply is pacified above, the maximum statutory pands will apply and will expire SIX (b) MONTHS from the mailing date of this communication. - Follows may find with a filed state than three mailing date of this communication, even if timely filed, may reduce any examined patient term adjustment. See 37 GFR 1.704(b). - Status 1) Responsive to communication(s) filed on 29 May 2001. 2a) This action is FINAL. 2b) This action is rinkal. 2b) This action is Final. 2c) This action is Final. 2b) This action is Final. 2c) This action is Final. 2c) This action is Final. 2d) The solid in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s) 1-19 Is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 5) Claim(s) 1-19 are subject to restriction and/or election requirement. Application Papers 9) The specification is objected to by the Examiner. 10) The drawning(s) filed on is/are: a) accepted or b) being date in abovance. See 37 GFR 1.85(a). 11) The proposed drawing correction filed on is/are: a) accepted or b) disapproved by the Examiner. 4 filed proved, corrected drawings are required in reply to this Office action. 12) The oath or declaration is objected to by the Examiner. Friority under 35 U.S.C. § 119 and 120 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(e)-(d) or (f). a) All b) Some * C) More of: 14) Acknowledgment is made of a claim for domestic priority un							
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2. Certified copies of the priority documents have been received in Application No 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application). a) The translation of the foreign language provisional application has been received. 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121. Attachment(s) 1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 1 Interview Summary (PTO-413) Paper No(s)	a)⊠ All b)□ Some * c)□ None of:						
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2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) Notice of Informal Patent Application (PTO-152)	` '	References Cited (PTO-892)	4) Interview Summa	ry (PTO-413) Paper No(s)			
	2) 🔲 Notice of	Draftsperson's Patent Drawing Review (PTO-948)	5) Notice of Informal				

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1. Restriction to one of the following inventions is required under 35 U.S.C. 121:

- I. Claims 1-9, drawn to a method of foaming and thermoforming a panel, classified in class 264, subclass 41.
- II. Claims 10-19, drawn to a panel with different density sections, classified in class 428, subclass 156.

The inventions are distinct, each from the other because of the following reasons:

2. Inventions Group I, claims 1-9 and Group II, claims 10-19 are related as process of making and product made. The inventions are distinct if either or both of the following can be shown: (1) that the process as claimed can be used to make other and materially different product or (2) that the product as claimed can be made by another and materially different process (MPEP § 806.05(f)). In the instant case the product as claimed could be made by injecting material with different levels of foaming agent into different parts of a mold or molding sections with different density levels and joining them outside of the mold.

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- 3. Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, and since the fields of search are not co-extensive, restriction for examination purposes as indicated is proper.
- 4. Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).
- 5. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).
- 6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to William P. Watkins III whose telephone number is 703-308-2420. The examiner works an increased flex time schedule, but can normally

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be reached Monday through Friday, 11:30 A.M. through 8:00 P.M. Eastern Time. The examiner returns all calls within one business day unless an extended absence is noted on his voice mail greeting.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Harold Pyon can be reached on 703-308-4251. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9310 for regular communications and 703-872-9311 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0651.

Whilliain P. Weit wind

WW/ww September 22, 2002 WILLIAM P. WATKINS III PRIMARY EXAMINER